

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**MICHAEL NOBLE, individually and as guardian  
of THERESA ANN PULLY,**

**Plaintiff,**

**vs.**

**BNSF RAILWAY COMPANY,**

**Defendant.**

**Case No. 24-cv-2268-SMY**

---

**DANIELLE N. PRUETT, individually and as  
mother and next of friend of her son, A.G., a  
minor and TINA M. PULLEY,**

**Plaintiffs,**

**vs.**

**BNSF RAILWAY COMPANY,**

**Defendant.**

**Case No. 24-cv-2524-DWD**

**MEMORANDUM AND ORDER**

This matter comes before the Court on the Motion to Consolidate (Doc. 28) and Motion to Set Hearing (Doc. 29). The parties request the consolidation of *Michael Noble, individually and as guardian of Theresa Ann Pully v. BNSF Railway Company*, Case No. 24-cv-2268-SMY and *Danielle N. Pruett, individually and as mother and next friend of her son, A.G., a minor and Tina Pulley v. BNSF Railway Company*, Case No. 24-cv-2524-DWD.

Pursuant to Federal Rule of Civil Procedure 42(a), a court may consolidate actions when they “involve a common question of law or fact.” Here, there are common questions of law and fact as each case alleges personal injuries arising from a February 17, 2024, vehicle-train collision

involving one vehicle with a driver and three passengers. Accordingly, the Court **GRANTS** the Motion to Consolidate (Doc. 28) and **CONSOLIDATES** Case Nos. 24-cv-2268-SMY and 24-cv-2524-DWD. The Motion to Set Hearing (Doc. 29) is **TERMINATED AS MOOT**.

The final pre-trial conference on March 19, 2026 at 9:30 a.m. and jury trial set for March 30, 2026 at 9:00 a.m. in Case No. 24-cv-2268-SMY are **VACATED**. The final pre-trial conference on September 3, 2026 at 10:00 a.m. and jury trial set for September 14, 2026 at 9:00 a.m. in Case No. 24-cv-2524-DWD are **VACATED**. This matter is set for a final pre-trial conference on September 3, 2026 at 9:30 a.m. and jury trial is set for September 14, 2026 at 9:00 a.m. in the Benton Courthouse.

This matter is set for a telephonic status conference on May 16, 2025, at 9:30 a.m. Instructions for joining the conference call are as follows: (1) call in number: 571-353-2301; (2) when prompted, enter the Meeting ID: 019849084. The parties shall submit a **proposed consolidated scheduling order** by May 9, 2025, via e-mail to SMYpd@ilsd.uscourts.gov.

The Clerk of Court is **DIRECTED** to file a copy of this Order in case numbers 24-cv-2268-SMY and 24-cv-2524-DWD. **All future filings shall be made in case number 24-cv-2268-SMY.**

**IT IS SO ORDERED.**

**DATED: April 3, 2025**



---

**STACI M. YANDLE**  
**United States District Judge**